



**DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS
OFFICE OF THE ZONING ADMINISTRATOR**

March 8, 2021

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VIA EMAILED PDF

Matthew Lee
Lee Design Studio
6818 Jackson Ave
Falls Church, VA 22042

Re: 1208 M Street, NW (Square 0282, Lot 0031).

Dear Mr. Lee:

This letter confirms the discussion on October 6, 2020 with Zoning Technician, Chyna Barber regarding the proposed redevelopment of the above referenced property located at 1208 M Street, NW (Square 0282, Lot 10031) (the "Property").

The Property is currently improved with a four-story, ten-unit residential apartment building (the "Building"). The Property has a lot area of 2,160 square feet and is zoned D-1-R. The Property is an inline lot bounded by M Street, NW to the North and a public rear alley to the south. The Property is rectangular in shape and 90 feet by 24 feet with the long face along M Street NW.

Your client seeks to raze the existing Building and build a new building with 14 dwelling units (the "Project"). The Project would underpin and create a cellar as well for a total of seven (7) floors above grade, a mezzanine between the first and second level, and a cellar. The grade level entrance would be shifted west to the party wall side of the Building but remain on M Street, NW. An addition to the rear would also have an exit to the public alley. The proposed plans (the "Plans") have been included with this letter as Exhibit A and the plat has been included as Exhibit B.

Compliance with Applicable Development Standards

The Project will comply with the development standards for the D-1-R Zone District as follows:

FAR:

Pursuant to Subtitle I § 502.1, the maximum FAR in D-1-R zoning district is 6.0 FAR. The FAR is calculated by dividing the GFA of all buildings on a lot by the area of that lot. The project will contain approximately 12,477 square feet of GFA contributing to

FAR, which, based on a lot area of 2,160 equals approximately 5.76 FAR. This calculation includes the first, through seventh floors counting towards the GFA. A cellar is defined as that portion of a story partly below grade where the finished floor of the ground floor is less than five feet (5 ft.) above the adjacent natural or finished grade, whichever is the lower elevation. The proposed lowest level meets that definition as it will be less than five feet (5 ft.) above the adjacent finished grade. Pursuant to B § 304.8, cellars are not included in GFA calculations and therefore the cellar does not count towards the FAR calculation.

Building Height:

Pursuant to Subtitle I § 503.1, the maximum permitted building height in the D-1-R Zone District is 90 feet with no limit on the number of stories.

Pursuant to Subtitle B § 307.1, in other than residential zones, as defined in Subtitle A § 101.9, and except as permitted elsewhere in this section and the regulations, the building height measuring point (BHMP) shall be established at the at the level of the curb, opposite the middle of the front of the building, and the building height shall be the vertical distance measured from the BHMP to the highest point of the roof or parapet or a point designated by a specific zone district..” Subtitle B § 307.6 continues, “the height of a building with a flat roof shall be measured from the BHMP to the highest point of the roof excluding parapets and balustrades not exceeding four feet (4 ft.) in height.”

The proposed building has a flat roof. The Plans show that the BHMP has been established at the curb the mid-point of the building and that the measurement from that point to the highest point of the roof is eighty-four feet and five inches (84 ft. 5 in.) Accordingly, the Project meets the building height requirements of the D-1-R zone district.

Yards:

Pursuant to I § 205.2, a rear yard need not be provided: (a) Within the depth specified in § Subtitle I 205.1 for the first twenty-five feet (25 ft.) above the mean finished grade at the middle of the rear of the structure and a horizontal plane) above the first plane. Above that point, I § 205.1, requires that each structure in a D zone provide a rear yard of at two point five inches (2.5 in.) per one foot (1 ft.) of vertical distance from the mean finished grade at the middle of the rear of the structure to the highest point of the main roof or parapet, but not less than twelve feet (12 ft.).

The rear yard for the proposed Project, as measured from the centerline of the 25’ alley, is twelve feet six inches (12.5 ft.) whereas the Applicant is required to provide a rear yard of seventeen point seven feet (17.7 ft.) based on a vertical distance of eighty-five feet (85 ft.) at the rear. **You have informed me that your client is seeking relief pursuant to I § 205.5 from the rear yard requirements of I § 205.1.**

Lot Occupancy:

Pursuant to Subtitle I § 202.1, unless otherwise limited by regulations governing courts, side or rear yards, front setback or build-to lines, easements or historic preservation, each building on a lot in any D zone may occupy one hundred percent (100%) of its lot. The proposed building occupies 100% of the lot and therefore meets the lot occupancy requirements of the D-1-R Zone.

Green Area Ratio:

As shown on Sheet 002 of the Plans, the Project will provide a green area ratio of 0.2, through the provision of green roofs, which meets the minimum green area ratio ("GAR") of 0.2 that is required in the D-1-R Zone District Subtitle I § 208.1.

Parking

Pursuant to I § 212.1, vehicle parking spaces are not required in D zones, other than areas west of the centerline of 20th Street, N.W. The Property is not west of the centerline of 20th Street, NW. Accordingly, vehicle parking is not required.

Bicycle Storage and Parking:

Pursuant to Subtitle C §802.1, residential apartments require one (1) long term bicycle parking space for every three (3) dwelling units, one (1) short term bicycle parking space for every 20 dwelling units.

This Project proposes 14 total residential units. Accordingly, the Project results in 5 long term bicycle parking spaces and 1 short term space. You are providing the requisite bicycle parking in accordance with the long-term and short-term bicycle requirements of C §§ 804 and 805.

Inclusionary Zoning:

Pursuant to I § 502.3 Residential density in the D-1-R zone is not subject to the Inclusionary Zoning requirements or bonuses of Subtitle C.

Sincerely, 
Matthew Le Grant
Zoning Administrator

Attachments: A- Plan Set dated 11-2-20 [ten PDFs]
B- Plat dated 7-6-20

Zoning Technician: Chyna Barber

Disclaimer: This letter is issued in reliance upon, and therefore limited to, the questions asked, and documents submitted in support of the request for a determination. The determinations reached in this letter are made based on the information supplied, and the laws, regulations, and policy in effect as of the date of this letter. Changes in the applicable laws, regulations, or policy, or new information or evidence, may result in a different determination. This letter is **NOT** a “final writing”, as used in Section Y-302.1 of the Zoning Regulations (Title 11 of the District of Columbia Municipal Regulations), nor a final decision of the Zoning Administrator that may be appealed under Section Y-302.1 of the Zoning Regulations, but instead is an advisory statement of how the Zoning Administrator would rule on an application if reviewed as of the date of this letter based on the information submitted for the Zoning Administrator’s review. Therefore, this letter does **NOT** vest an application for zoning or other DCRA approval process (including any vesting provision established under the Zoning Regulations unless specified otherwise therein), which may only occur as part of the review of an application submitted to DCRA.